

Remarks

Claims 13-15 are pending.

Claims 16-18 are withdrawn.

Claim 13 is amended to claim that the claimed searching step continues as program guide information is updated. Support for this amendment is found in the specification on page 6, lines 4-9, page 8, lines 3-18, and in other places. In addition, Claim 13 is amended that the search query is a string of characters. Support for this amendment is found in the specification on page 4, lines 1-5, Fig. 2, and in other places.

Claim 14 is amended to fix the language of the claim, as suggested by the Examiner.

The specification is amended to claim the priority from issued U.S. patent 6,216,264. In addition, the specification is amended to change reference number from 412 to 412R as suggested by the Examiner.

The drawings are amended to delete reference numbers 200 from Fig. 2 and 410 from Fig. 3. Reference numbers 310 and 320 are added to Fig. 3. These amendments are made to the drawings as suggested by the Examiner.

35 U.S.C. §112 Rejection

The Examiner rejected Claims 13-15 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. Specifically, the Examiner rejected Claim 13 for containing the word "continuously".

As amended, the Claim 13 claims that the claimed searching step is performed "as channel guide information is updated by the receipt of new channel guide information during said searching step". The specification supports that channel guide information is updated periodically (see specification page 6, lines 4-9). Also, the specification supports that a search continues until such a search is turned off (see specification, page 8, lines 3-18).

Applicants request the Examiner remove the rejection to Claims 13-15 for the reasons cited above.

35 U.S.C. §103 Rejection

The Examiner rejected Claims 13-15 under 35 U.S.C. 103(a) as being unpatentable over Hoarty et al. (U.S. Patent # 5,412,720, hereafter referred to as 'Hoarty'). Applicants disagree with this ground of rejection.

Claim 13, as amended, claims that the claimed user-entered search request "is a string of text". This claimed element is neither disclosed nor suggested in Hoarty. Specifically, Hoarty does not utilize text strings to implement a search entered in by a user. Instead, Hoarty implements a search by having a user utilize a series of menus with "carousel choices". A user must manually operate a series of menus in order to find a specific topic of interest (Hoarty, col. 12, lines 22-43), instead of directly entering in a string of characters, as claimed in Claim 13.

For example, if one where to use the system described in Hoarty to find a movie with Humphrey Bogart, the user must navigate first through a menu as shown in Fig. 22, to select the criteria Actor. The user then has to utilize the ABCDE button in Fig. 23, to select a B button to bring up a listing of actors with B in the last name, Fig. 24 (showing the B button). The user then must navigate up or down such a list using the carousel choices to eventually arrive at "Bogart" before having the results shown in Fig. 25.

In contrast, the claimed invention provides an efficient means of direct text entry for finding matching search information, without having to navigate through a series of menus that prohibit the entering in of the claimed "string of text".

Claim 13 also claims that the claimed "search continues as channel guide information is updated by the receipt of new channel guide information during said searching step". This claimed step is neither disclosed nor suggested in Hoarty.

The Examiner stated in the rejection that the claimed limitation of performing a search until such a search is turned off is obvious to one having ordinary skill in the art at the invention was made, "as a result of its continuous nature for the purpose of providing a means by which a user who is no longer interested in a particular programs may stop being reminded about them." Applicants request that the Examiner provide a reference that teaches such a concept from the time before the application was filed, see *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974) and *In re Selmi*, 156 F. 2d 96, 70 USPQ 197 (CCPA 1946).

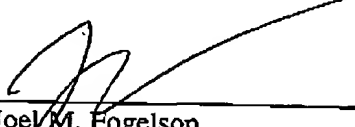
Applicants assert that the Examiner applies hindsight knowledge from the claimed invention to arrive at the conclusion listed above, as there is no teaching (as admitted to by the Examiner) in Hoarty that suggests the claimed feature of "performing until said search request is turned off, a search of said channel guide information for a program in said channel guide information having a program description that satisfies said user-entered request". The Examiner modifies the Hoarty reference in view of the Applicants invention to arrive at the conclusion that such a claimed limitation would be obvious to one skilled in the art.

For the reasons given above, Applicants assert that Claim 13 is patentable. Applicants also assert that Claims 14-15 are patentable for the same reasons given above for Claim 13. Applicants request the Examiner remove the rejection to all of these claims.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

A fee for a one-month extension is owed in connection for this amendment/response. Please charge deposit account 07-0832 for this extension, and for any other fees owed in connection with this paper.

Respectfully submitted,


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